

Remarks:

Claims 34-36 remain for consideration in this application with claim 34 being the sole independent claim. Claims 14-33 and 37-38 have been canceled pursuant to the restriction requirement set forth in the Office Action dated March 5, 2004.

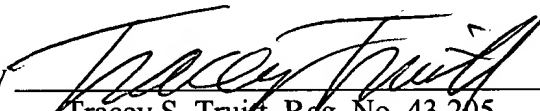
Additionally, applicant provisionally selects SEQ ID NO. 3 for the gene and SEQ ID NO. 6 for the protein encoded by that gene. Applicant notes that the Office Action specified that this was a further restriction requirement and not a species election. However, in this case, claims 34-36 are not limited to any specific sequence as claims recite a method of diagnosing cancer. The method comprises the steps of: competitively reacting a part of an immunological pair which can form an immune complex with a cancer cell-specific HLA-F antigen as its entirety or part of it, and an anti-HLA-F antibody in a body fluid of a subject; and detecting an anti HLA-F antibody in the body fluid of the individual. As can be seen, the provisional election of SEQ ID NOS. 3 and 6 is not relevant until the Office sets forth a rejection of these claims wherein it would become necessary to restrict the claims to a particular SEQ ID NO. in order to overcome the rejection. If no such rejection is made, there is no reason to restrict the claims in scope to specific SEQ ID NOS. and the claims should not be so restricted. Accordingly, this further restriction is traversed.

In view of the amendments and remarks herein, a Notice of Allowance appears to be in order and such is courteously solicited herein.

Any additional fee which is due in connection with this amendment should be applied against our Deposit Account No. 19-0522.

Respectfully submitted,

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